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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 06-0375 SI
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER EXCLUDING TIME FROM
v.)	SPEEDY TRIAL ACT CALCULATION
)	(18 U.S.C. § 3161(h)(8)(A))
JORGE ESTRADA,)	
)	
Defendant.)	

With the agreement of the parties, and with the consent of defendant Jorge Estrada, the Court enters this order documenting defendant's exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(c)(1), from December 15, 2006, to May 7, 2007. The parties agree, and the Court finds and holds, as follows:

1. Defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny the defendant continuity of counsel. Defendant's counsel, Ms. Falk, will begin trial in another matter in mid-January. Ms. Falk represents that trial in that other matter may last as long as three months. Because of this trial commitment, Ms. Falk cannot reasonably commence trial in the instant case before May 2007. Ms. Falk has established a strong relationship with defendant, and it would not be in defendant's

1 interest to seek alternative counsel in order to allow for an earlier trial date.

2 2. Given these circumstances, the Court found that the ends of justice served by
3 excluding the period from December 15, 2006, to May 7, 2007, outweigh the best interest of the
4 public and the defendant in a speedy trial. Id. at § 3161(h)(8)(A).

5 3. Accordingly, and with the consent of the defendant, at the hearing on December 15,
6 2006, the Court ordered that the period from December 15, 2006, to May 7, 2007, be excluded
7 from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

8 IT IS SO STIPULATED:

9
10 DATED: December 20, 2006

/s/

ELIZABETH FALK
Attorney for Defendant

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13 DATED: December 15, 2006

/s/

ANDREW P. CAPUTO
Assistant United States Attorney

14
15
16 IT IS SO ORDERED.

17
18 DATED: _____



HONORABLE SUSAN Y. ILLSTON
United States District Judge